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December 10, 1999
Date

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TECH CENTER 1600/29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Martin A. Cheever and Mary L. Disis
Application No. : 09/167,516
Filed : October 6, 1998
For : COMPOUNDS FOR ELICITING OR ENHANCING IMMUNE REACTIVITY TO HER-2/neu PROTEIN FOR PREVENTION OR TREATMENT OF MALIGNANCIES IN WHICH THE HER-2/neu ONCOGENE IS ASSOCIATED

Examiner : Nancy A. Johnson, Ph.D.
Art Unit : 1642
Docket No. : 920010.448C8
Date : December 10, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231



RESPONSE TO THE COMMUNICATION FROM THE EXAMINER

Sir:

In response to the Communication from the Examiner, dated November 10, 1999, please find enclosed the following: A Request to Use Computer Readable Form from Parent Application; a declaration regarding the computer readable form; and a Copy of the Notice to Comply.

Respectfully submitted,

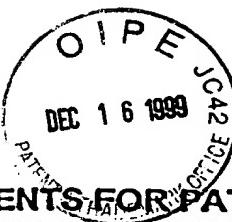
SEED and BERRY LLP

Richard G. Sharkey
Richard G. Sharkey
Registration No. 32,629

RGS:ljt
Enclosures:

Postcard
Request to use Computer Readable Form from Parent Application
Declaration Regarding the Computer Readable Form
Copy of Notice to Comply

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Application No.: 09/167,516

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7. Other: Applicant should follow the format of the attached sample statement to request that the CRF filed in the parent application be used to create a CRF in this application.

Applicant Must Provide:

- An Initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An Initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE